

**ONE HUNDRED AND TENTH LEGISLATIVE DAY
FRIDAY, APRIL 25, 2003**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent and excused -- Barraclough(Schanz), Black, Cannon, Clark, Collins, Lake, Mitchell, Naccarato(Alldredge), Sali, Smith(24), Wood. Total -- 11.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jonathan Sater, Page.

Approval of Journal

April 25, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Ninth Legislative Day and recommend that same be adopted as corrected.

ELLSWORTH, Acting Chairman

Mrs. Ellsworth moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Mary Lou Shepherd, State Representative, District 2, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Jeanne Buell, of Worley, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Jeanne Buell, Acting State Representative, District 2, House Seat A, State of Idaho, for a term commencing on April 25, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 23rd day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Buell.

OFFICE OF THE GOVERNOR
Boise

April 24, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 394

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 25, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 400, as amended in the Senate

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

April 24, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1181, S 1182, S 1183, S 1184, S 1185, and S 1186** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1181, S 1182, S 1183, S 1184, S 1185, and S 1186** and, when so signed, ordered them returned to the Senate.

April 24, 2003

Mr. Speaker:

I return herewith **H 410, H 418, H 419, and H 403**, as amended, which have passed the Senate.

WOOD, Secretary

H 410, H 418, H 419, and H 403, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 24, 2003

Mr. Speaker:

I return herewith **H 409** which has failed the Senate.

WOOD, Secretary

H 409 was filed in the Office of the Chief Clerk.

April 24, 2003

Mr. Speaker:

I return herewith **H 383**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 383, as amended in the Senate, was ordered held at the Desk.

Mrs. Block asked unanimous consent that the House concur in the Senate amendments to **H 383**, as amended in the Senate. There being no objection, it was so ordered.

H 383, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 25, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 424, H 425, and H 426**.

ELLSWORTH, Acting Chairman

H 424, H 425, and H 426 were filed for second reading.

April 25, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 412, H 413, H 414, and H 411**.

ELLSWORTH, Acting Chairman

The Speaker announced he was about to sign enrolled **H 412, H 413, H 414, and H 411**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 32

BY APPROPRIATIONS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE REGARDING THE BUDGET STABILIZATION FUND AND DIRECTING THE STATE CONTROLLER NOT TO TRANSFER GENERAL FUNDS TO THE BUDGET STABILIZATION FUND IN FISCAL YEAR 2004.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Economic Outlook and Revenue Assessment Committee has determined that the revenue growth for fiscal year 2003 is estimated to be only three and seven-tenths percent (3.7%) higher than the previous fiscal year's revenues; and

WHEREAS, Section 57-814(2)(a), Idaho Code, directs the State Controller to transfer certain funds to the Budget Stabilization Fund if revenues are in excess of four percent (4%) over the previous fiscal year; and

WHEREAS, all available revenues will be needed to support critical on-going programs and services of the state of Idaho; and

WHEREAS, Section 57-814(3), Idaho Code, authorizes the Legislature through Concurrent Resolution to reduce the transfers made by the State Controller to the Budget Stabilization Fund.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the State Controller is hereby directed not to transfer general funds to the Budget Stabilization Fund pursuant to Section 57-814, Idaho Code, during fiscal year 2004.

HCR 32 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 427

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2003; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2003 AND 2004; DIRECTING THE STATE TREASURER TO REPAY THE GENERAL FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 428

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO A COUNTY SALES TAX; REPEALING CHAPTER 26, TITLE 63, IDAHO CODE; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 26, TITLE 63, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE AUTHORITY FOR A COUNTY SALES OR USE TAX, TO CREATE THE COUNTY PROPERTY TAX RELIEF FUND, TO PROVIDE GENERAL PROVISIONS FOR AN ORDINANCE ASSESSING THE TAX, TO PROVIDE FOR COLLECTION AND

ADMINISTRATION OF LOCAL OPTION SALES OR USE TAXES BY THE STATE TAX COMMISSION AND TO PROVIDE FOR DISTRIBUTION; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING A SUNSET CLAUSE.

HOUSE BILL NO. 429
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; REDUCING THE APPROPRIATION FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS; REVISING THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION; REAPPROPRIATING CERTAIN MONEYS FOR THE DEPARTMENT OF PARKS AND RECREATION; APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE; REAPPROPRIATING CERTAIN MONEYS TO THE STATE CONTROLLER; APPROPRIATING ADDITIONAL MONEYS TO THE TAX APPEALS BOARD; PROVIDING AN ADJUSTMENT FOR FULL-TIME POSITIONS FOR THE TAX APPEALS BOARD; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE ATTORNEY GENERAL; REAPPROPRIATING CERTAIN MONEYS FOR THE SPECIAL LITIGATION PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 430
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2004; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED BALANCES; SETTING FORTH CONDITIONS FOR REAPPROPRIATION; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 431
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR COMMUNITY COLLEGE SUPPORT FOR FISCAL YEAR 2004; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 432
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR GENERAL EDUCATION PROGRAMS AT BOISE STATE UNIVERSITY, IDAHO STATE UNIVERSITY, LEWIS-CLARK STATE COLLEGE, THE UNIVERSITY OF IDAHO AND FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR

FISCAL YEAR 2004; LIMITING THE AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE USED BY THE OFFICE OF THE STATE BOARD OF EDUCATION; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION THAT IS TO BE EXPENDED FOR RESEARCH; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE EXPENDED FOR COMPETITIVE TECHNOLOGY GRANTS, AND FOR PARTICIPATION IN THE WESTERN GOVERNORS' ASSOCIATION'S VIRTUAL UNIVERSITY AND THE IDAHO ELECTRONIC CAMPUS; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE EXPENDED FOR TEACHER PREPARATION ACTIVITIES; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE EXPENDED FOR THE GOVERNOR'S COLLEGE AND UNIVERSITY EXCELLENCE INITIATIVE; MAKING CERTAIN IDAHO CODE PROVISIONS SPECIFICALLY AVAILABLE TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; REQUIRING THE STATE BOARD OF EDUCATION TO TRACK AND REPORT FACULTY, NONFACULTY EXEMPT AND CLASSIFIED STAFF TURNOVER; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED BALANCES; SETTING FORTH THE CONDITIONS FOR REAPPROPRIATION; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 433
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO A BALANCED BUDGET; STATING FINDINGS OF THE LEGISLATURE REGARDING THE FINANCIAL SITUATION FOR FISCAL YEAR 2004; DIRECTING THE STATE TREASURER TO DEPOSIT CERTAIN TOBACCO SETTLEMENT MONEYS INTO THE GENERAL FUND; TRANSFERRING MONEYS FROM THE CAPITOL ENDOWMENT INCOME FUND TO THE GENERAL FUND; TRANSFERRING MONEYS FROM THE MULTISTATE TAX COMPACT FUND TO THE GENERAL FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 434
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2004; AMENDING SECTION 33-1004A, IDAHO CODE, TO PLACE CAPS ON THE GROWTH OF THE EXPERIENCE AND EDUCATION MULTIPLIER FOR ADMINISTRATIVE STAFF; AMENDING SECTION 33-1004, IDAHO CODE, TO DELETE THE PROVISIONS WHICH REQUIRE A DISTRICT TO

DEMONSTRATE EMPLOYMENT OF THE NUMBER OF ADMINISTRATIVE STAFF ALLOWED OR, IF THE DISTRICT DOES NOT EMPLOY THAT NUMBER, TO REDUCE STAFF ALLOWANCE ACCORDINGLY AND TO DELETE THE LIMIT ON PERCENTAGE OF ADMINISTRATIVE STAFF WHICH MAY BE NONCERTIFICATED STAFF; AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE THAT ADMINISTRATIVE STAFF SHALL BE EXCLUDED FROM PARTICIPATING IN THE EARLY RETIREMENT INCENTIVE PROGRAM; PROVIDING MONEYS FOR THE FINAL PHASE OF THE IMPLEMENTATION OF ACHIEVEMENT STANDARDS; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 435
BY APPROPRIATIONS COMMITTEE
 AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS FOR FISCAL YEAR 2004; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2004; AMENDING SECTION 33-1004A, IDAHO CODE, TO PLACE A CAP ON THE GROWTH OF EXPERIENCE AND EDUCATION MULTIPLIER FOR INSTRUCTIONAL STAFF; PROVIDING MONEYS FOR THE UNEMPLOYMENT INSURANCE PROGRAM; DIRECTING THAT UP TO \$654,000 BE DISTRIBUTED FOR MASTER TEACHER AWARD PAYMENTS; PROVIDING MONEYS FOR THE IMPLEMENTATION OF THE FINAL PHASE OF ACHIEVEMENT STANDARDS; PROVIDING DIRECTION REGARDING THE EXPENDITURE AND DISTRIBUTION OF \$1,000,000 FOR EMPLOYMENT AND TRAINING FOR WORKING WITH CHILDREN WITH DISABILITIES; DIRECTING THAT \$500,000 BE ALLOCATED FOR TRAINING TO SERVE THE NEEDS OF GIFTED AND TALENTED STUDENTS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 436
BY APPROPRIATIONS COMMITTEE
 AN ACT

RELATING TO PROVISIONS GOVERNING DISTRIBUTION AND APPROPRIATION FOR PUBLIC SCHOOLS DIVISION OF OPERATIONS; PROVIDING THE AMOUNT TO BE EXPENDED FROM STATE SOURCES FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2004; DIRECTING THAT \$3,100,000 IN ONGOING EXPENDITURES AND \$3,900,000 IN ONE-TIME EXPENDITURES BE EXPENDED FOR THE PUBLIC SCHOOL TECHNOLOGY GRANT PROGRAM, AND

DIRECTING THAT \$300,000 BE TRANSFERRED TO THE LIBRARY SERVICES IMPROVEMENT FUND; DIRECTING THAT NOT MORE THAN \$173,000 BE EXPENDED FOR IDAHO COUNCIL FOR TECHNOLOGY IN LEARNING EXPENSES; APPROPRIATING THE AMOUNT OF GENERAL FUND MONEY NECESSARY AS DETERMINED BY SECTION 33-1002D, IDAHO CODE, FOR PROPERTY TAX REPLACEMENT; PROVIDING MONEYS FOR THE FINAL PHASE OF THE IMPLEMENTATION OF ACHIEVEMENT STANDARDS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-907, IDAHO CODE, TO CREATE THE PUBLIC EDUCATION STABILIZATION FUND, TO PROVIDE MONEYS FOR THE FUND, TO PROVIDE FOR USES OF MONEYS IN THE FUND AND TO PROVIDE FOR TRANSFER OF CERTAIN ACCUMULATED BALANCES; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL SCHOOL DISTRICTS' CONTRIBUTION CALCULATION; AMENDING SECTION 33-1002D, IDAHO CODE, TO PROVIDE FOR A MAXIMUM AMOUNT TO BE DISTRIBUTED FOR PROPERTY TAX RELIEF AND TO PROVIDE FOR A PRO RATA DISTRIBUTION TO SCHOOL DISTRICTS; AMENDING SECTION 33-1006, IDAHO CODE, TO PROVIDE THAT COSTS OF CERTAIN ADDITIONAL FEATURES NOT PART OF A BASIC VEHICLE SHALL NOT BE REIMBURSED, TO DEFINE A BASIC VEHICLE, TO MAKE TECHNICAL CORRECTIONS, TO LIMIT REIMBURSEMENT RATES, TO PROVIDE FOR TIME LIMITATIONS AND REVIEW AND TO ALLOW SCHOOL DISTRICTS TO APPLY FOR LOANS; AMENDING SECTION 33-1009, IDAHO CODE, TO PROVIDE THAT THE JULY PAYMENT TO SCHOOL DISTRICTS SHALL TAKE INTO ACCOUNT THE ADJUSTMENT REQUIRED BY THE PROVISIONS OF SECTION 33-1018, IDAHO CODE, TO PROVIDE THAT TRANSFERS INVOLVING THE PUBLIC EDUCATION STABILIZATION FUND SHALL NOT BE CONSIDERED IN CALCULATING ADJUSTMENTS WHEN THE TOTAL AMOUNT APPROPRIATED TO THE PUBLIC SCHOOL INCOME FUND IS NOT TRANSFERRED AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1018, IDAHO CODE, TO PROVIDE FOR ADJUSTMENT OF THE DISTRIBUTION TO SCHOOL DISTRICTS FROM THE EDUCATIONAL SUPPORT PROGRAM BASED ON THE ACTUAL AMOUNT OF DISCRETIONARY FUNDS PER SUPPORT UNIT; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1018A, IDAHO CODE, TO PROVIDE THAT FUNDS MAY BE TRANSFERRED FROM THE PUBLIC EDUCATION STABILIZATION FUND BY THE BOARD OF EXAMINERS AND TO PROVIDE THAT FUNDS MAY BE APPROPRIATED TO OFFSET DECLINING DISTRIBUTIONS FROM THE SCHOOL EARNINGS RESERVE FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ALLOCATION OF CERTAIN INVESTMENT GAINS AND LOSSES; DIRECTING THAT CERTAIN TOBACCO SETTLEMENT FUNDS BE DEPOSITED IN THE GENERAL FUND; TO PROVIDE AN ESTIMATE OF DISCRETIONARY

FUNDS PER SUPPORT UNIT; TRANSFERRING MONEYS TO THE PUBLIC EDUCATION STABILIZATION FUND; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 437
BY APPROPRIATIONS COMMITTEE
 AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2004; PROVIDING A DESCRIPTION OF THE DIVISION OF CHILDREN'S PROGRAMS AND PROVIDING THE AMOUNTS TO BE EXPENDED; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING MONEYS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2004; DIRECTING THAT \$4,700,000 OF THE MONEYS ACCRUING PURSUANT TO SECTIONS 63-2506 AND 63-2552A, IDAHO CODE, AND SUCH OTHER MONEYS WHICH MAY BECOME AVAILABLE PURSUANT TO SECTION 63-7439, IDAHO CODE, BE EXPENDED FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE DISTRIBUTION OF FUNDS FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FEATURES OF THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THAT \$3,300,000 BE USED FOR THE LITERACY PROGRAMS AND EXPRESSING LEGISLATIVE INTENT THAT THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION COORDINATE CERTAIN PROGRAMS; DIRECTING THAT \$4,475,000 BE ALLOCATED FOR PROGRAMS FOR STUDENTS WITH NON-ENGLISH OR LIMITED-ENGLISH PROFICIENCY; AND GRANTING AUTHORITY TO TRANSFER FUNDS BETWEEN THE FIVE DIVISIONS OF THE EDUCATIONAL SUPPORT PROGRAM BUDGET.

HOUSE BILL NO. 438
BY APPROPRIATIONS COMMITTEE
 AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF FACILITIES; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2004; TRANSFERRING AND APPROPRIATING CERTAIN FUNDS TO BE EXPENDED PURSUANT TO SECTION 33-906, IDAHO CODE; DIRECTING THE DISTRIBUTION OF CERTAIN FUNDS PURSUANT TO SECTION 33-905, IDAHO CODE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 439
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF BUILDING SAFETY IN THE DEPARTMENT

OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2004; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE A TRANSFER FROM THE PLUMBING BOARD FUND FOR FISCAL YEAR 2004; AUTHORIZING THREE ADDITIONAL FULL-TIME POSITIONS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 440
BY APPROPRIATIONS COMMITTEE
 AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE; APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AMENDING CHAPTER 1, TITLE 71, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 71-121, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE TO PROMULGATE CERTAIN RULES, TO PROVIDE FOR COLLECTION OF FEES FOR THE LICENSING OF WEIGHING AND MEASURING DEVICES AND TO PROVIDE FOR THE WEIGHTS AND MEASURES INSPECTION FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 441
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS FOR PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2004; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED BALANCES; SETTING FORTH THE CONDITIONS FOR REAPPROPRIATION; EXPRESSING LEGISLATIVE INTENT REGARDING THE SHARING OF FISCAL, HUMAN RESOURCES, INFORMATION TECHNOLOGY AND RECEPTION RESOURCES WITH THE OFFICE OF THE STATE BOARD OF EDUCATION AND THE DIVISION OF VOCATIONAL REHABILITATION; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 442
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 443
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AUTHORIZING THE USE OF FEDERAL FUNDS TO PURCHASE THE ST. ANTHONY WORK CAMP;

AUTHORIZING THE USE OF FEDERAL FUNDS TO EXPAND THE SOUTH BOISE WOMEN'S CORRECTIONAL CENTER; DECLARING FINDINGS OF THE LEGISLATURE; PROVIDING CONTINGENCY FUNDING; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2003; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 444
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AUTHORIZING FUND DEPOSITS; DECLARING AND EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 445
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF FAMILY AND COMMUNITY SERVICES FOR FISCAL YEAR 2004; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SUBSTANCE ABUSE PREVENTION; APPROPRIATING ADDITIONAL MONEYS FOR COMMUNITY MENTAL HEALTH SERVICES FOR FISCAL YEAR 2003; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 446
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES AND INDEPENDENT COMMISSIONS AND COUNCILS FOR FISCAL YEAR 2004; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 447
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2004; PROVIDING THAT

THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; EXPRESSING LEGISLATIVE INTENT RELATING TO THE CHILDREN'S HEALTH INSURANCE PROGRAM; EXPRESSING LEGISLATIVE INTENT RELATING TO UTILIZATION MANAGEMENT; EXPRESSING LEGISLATIVE INTENT RELATING TO THE CATASTROPHIC HEALTH CARE COST PROGRAM; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 448
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2004; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; SUPERSEDING THE PROVISIONS OF SECTION 57-1702, IDAHO CODE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 449
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2004; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 450
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 451
BY WAYS AND MEANS COMMITTEE
 AN ACT

RELATING TO ACTS OR SECTIONS OF ACTS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SEVENTH IDAHO LEGISLATURE; PROVIDING CLARIFICATION FOR EFFECTIVE DATES FOR CERTAIN

ACTS OR SECTIONS OF ACTS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SEVENTH IDAHO LEGISLATURE; AND DECLARING AN EMERGENCY.

H 427, H 428, H 429, H 430, H 431, H 432, H 433, H 434, H 435, H 436, H 437, H 438, H 439, H 440, H 441, H 442, H 443, H 444, H 445, H 446, H 447, H 448, H 449, H 450, and H 451 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 390, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 28, 2003. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

April 25, 2003

Mr. Speaker:

I return herewith **HJM 12** and **H 422** which have passed the Senate.

WOOD, Secretary

HJM 12 and **H 422** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Monday, April 28, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:10 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk